

TITLE 8 DEVELOPMENT CODE
DIVISION 4: LAND USES
CHAPTER 7: TEMPORARY USES.
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84.0701 General Provisions.

(a) The uses described in this chapter shall be permitted in any land use district subject to the issuance of a Temporary Use Permit (T.U.P) in accordance with the provisions of Division 3 and as otherwise specified by this chapter. In order to establish such a use, a person must submit a permit application and remit the appropriate fees to the County Fire Department, Division of Environmental Health Services, the Department of Architecture, Building and Engineering, or the Planning Department and then obtain approval of the permit and any allowed extension thereof.

(b) Permit and permit extension actions may be appealed or referred to the next succeeding reviewing authority as specified by Division 3 of the Development Code. Such appeals shall consider compliance of the proposed action with the provisions of this chapter.

(c) All temporary uses shall be subject to the following, where applicable:

(1) The valid Temporary Use Permit shall be prominently displayed in a manner so as to be visible at all times from the exterior of the structure or vehicle so permitted and subject to inspection.

(2) The structure or vehicle so permitted shall provide evidence of approval by the State Division of Housing as prescribed in the California Health and Safety Code or the Federal Department of Housing and Urban Development.

(3) Installation of a structure or vehicle so permitted shall comply with all the requirements and regulations of Title 8 of the San Bernardino County Code, Department of Architecture, Building and Engineering, County Fire Department, the Division of Environmental Health Services, the Planning Department and applicable state and federal regulations.

(4) The owner of the use requiring the Temporary Use Permit shall submit a letter to the Reviewing Authority setting forth in detail the primary use or the use to which the structure or vehicle is to be put, the length of time such temporary use will be required, together with a statement of such future plans as will eliminate the necessity for the temporary use.

(5) A temporary occupancy use shall be located on the same parcel or on a contiguous parcel under the same ownership or control as the primary construction project, property being protected, or other primary use for which the Temporary Occupancy Use Permit was requested and approved.

(d) A Temporary Use Permit may be issued for the interim operation of any use requiring a Conditional Use Permit for a period of time not to exceed one year, provided such permit does not authorize the construction or establishment of any new permanent structures and the Planning Agency makes the findings required for approval of a Conditional Use Permit. The Temporary Use Permit application shall be filed concurrently with an application for Conditional Use Permit, where appropriate.

(e) A Temporary Use Permit may be issued for the interim operation of an exterior storage area or short term exterior sales display area for a period of time not to exceed thirty (30) days in any land use district.

Readopted Ordinance 3341 (1989); Amended Ordinance 3374 (1990); Amended Ordinance 3611 (1995); Amended Ordinance 3654 (1996)

84.0705 Temporary Residential Quarters.

Manufactured homes and self-contained recreational vehicles may be used for temporary residential quarters, subject to a Temporary Use Permit (T.U.P) issued in accordance with the provisions of Division 3. Such temporary residential quarters shall be allowed only in the following instances:

(a) Temporary residential quarters for individuals involved in the construction of the first permanent dwelling unit on the same parcel. Such a T.U.P. shall be valid only if there is a current and valid Building Permit issued by the Building Official or a valid Mobilehome Setdown Permit issued by the County Fire Department or the Division of Environmental Health Services for the permanent dwelling unit.

(b) Temporary residential quarters for security personnel engaged in the short-term protection of a legally established and permitted commercial, commercial agricultural, industrial or institutional use; or for construction projects which have current and valid permits issued by the Office of Building and Safety.

T.U.P.'s for temporary security quarters or extension thereof shall not be granted for any period of time to exceed five (5) years from the date the original T.U.P. was issued. If security quarters are needed for a longer term than three years, a caretaker's residence should be established in accordance with the provisions of the applicable land use district.

(c) The provisions of this Section shall not be construed to limit the authority of a public school, pursuant to law, to provide a manufactured home on school property for the purpose of housing a person or persons employed by the district as a watchman or caretaker of school property on a twenty-four (24) hour basis.

(d) Any permit issued pursuant to this section in conjunction with a construction project shall become invalid upon cancellation or completion of the building permit for which the use has been approved or the expiration of the time for which the approval has been granted.

Readopted Ordinance 3341 (1989); Amended Ordinance 3611 (1995)

84.0710 Temporary Nonresidential Quarters.

(a) Manufactured homes, commercial coaches, self-contained recreational vehicles, mobile office vehicles, and appropriate structures constructed in accordance with the applicable code in effect at the time of manufacture may be used for temporary nonresidential quarters, subject to the issuance of a Temporary Use Permit in accordance with the provisions of Division 3 of Title 8 of the San Bernardino County Code. Such temporary nonresidential quarters may be used to provide temporary office, retail, meeting assembly, wholesale, manufacturing and/or storage space for commercial, commercial agricultural, industrial, or institutional uses for a specified temporary period of time. Such quarters shall only be an interim substitute until permanent structures can be constructed or repaired, or until a short-term need has been satisfied. If such a structure is placed on a permanent foundation, it does not require a Temporary Use Permit. It can be approved through an Occupancy Review.

(b) The Building Official shall determine that the proposed use has adequate access, circulation, parking, fencing, lighting, signage, landscaping and appropriate buffering from abutting uses as required by this Code and the applicable land use district.

(c) Under exceptional or extraordinary circumstances, a Temporary Use Permit for temporary nonresidential quarters may be extended beyond the 5-year limitation outlined in Subsection 83.030705(b)(1) of this Title at the discretion of the Reviewing Authority.

Readopted Ordinance 3341 (1989); Amended Ordinance 3427 (1990); Amended Ordinance 3612 (1995)

84.0715 Temporary Construction Office Quarters.

Manufactured homes, commercial coaches, self-contained recreational vehicles, mobile office vehicles, and appropriate structures constructed in accordance with the Uniform Building Code may be used for temporary construction office quarters subject to a Temporary Use Permit (T.U.P.).

Any permit issued pursuant to this section in conjunction with a construction project shall become invalid upon cancellation or completion of the building permit for which this use has been approved, or the expiration of the time for which the approval has been granted.

Readopted Ordinance 3341 (1989)

84.0720 Temporary Real Estate Model Home/Sales Office.

(a) Dwelling units may be used for temporary real estate model home/sales offices located in residential developments and subdivisions subject to the issuance of a Temporary Use Permit.

(b) Said model home sales office may be used only for conducting the necessary activities related to the initial sale or initial lease of the land or structure located within the residential development or subdivision in which the sales office is located, or such adjacent residential developments or subdivisions that are a part of or a continuation of the same development.

(c) At least one model home shall be fully landscaped with drought tolerant xeriscape materials.

Readopted Ordinance 3341 (1989)

84.0725 Temporary On-Your-Lot Builder Model Home/Sales Office.

Single family dwelling units may be used for temporary on-your-lot builder model homes/sales offices subject to a Temporary Use Permit and the provisions of this chapter, including the following:

(a) Intent. The provisions of this section are intended to regulate the use of a single family dwelling unit when used as a temporary sales office and model home for the sale of construction services to build single family residential units on vacant lots. These provisions are not intended to allow a permanent or temporary real estate

office involved in real estate sales other than those involving lots sold in conjunction with the construction services being offered.

(b) Findings. Prior to the issuance of a Temporary Use Permit, the reviewing authority shall find and justify the following to be true:

The proposed On-Your-Lot Builder Model Home/Sales Office structure is located fronting on a roadway designated by the General Plan Circulation map as either a Major Divided Highway, Major Arterial, Major Highway, Secondary Highway, Desert Major, Desert Secondary, Mountain Expressway, Mountain Major or Mountain Secondary.

(c) Conditions. Prior to approving the request for or request to extend a Temporary Use Permit for an On-Your-Lot Builder model home/sales office, the proposed use shall comply with the following:

(1) The On-Your-Lot Builder Model Home/Sales Office shall be used only for the sale of construction services to build single family residential dwelling units on vacant lots and related real estate sales. All real estate sales shall be limited to the sale of vacant lots in conjunction with the sale construction services for the same lot. All real estate sales shall be an accessory and subordinate use to the primary use of construction service or sales.

(2) Only one (1) accessory freestanding or monument sign shall be permitted and it shall neither exceed thirty-two (32) square feet nor twelve (12) feet in height. Such a sign shall only be permitted on the same lot as the model home/sales office and shall be kept in good repair at all times. A freestanding sign shall maintain a minimum clearance of eight (8) feet between the bottom edge of the sign and the ground. The leading edge of such a sign shall be no closer than one (1) foot from the planned right-of-way. All signs shall comply with the provisions of Development Code Division 7, Chapter 8, that are not in conflict with this subsection.

(3) Also, each site shall be allowed to have a maximum of four (4) flags that are each a maximum twelve (12) square feet in area and a maximum twelve (12) feet in height. Such flags shall be maintained in good repair at all times. For the purpose of this section, this shall mean no weathered, faded or tattered flags are allowed.

(4) One (1) "open house sign" no larger than twenty-four inches by eighteen inches (24" X 18") on poles no higher than four feet (4') may be displayed. Also, no more than two (2) pennants may be displayed. Pennants shall be no greater than two feet by three feet (2' X 3') mounted on poles no higher than four feet (4'). Hours of open house sign and pennant flag displays shall be no earlier than sunrise and no later than sunset.

(5) Other than as allowed by this section, moveable or portable signs, off-site directional signs, plastic banners, balloons, streamers, propellers, or other similar apparatus which are primarily placed and intended to attract the attention of the general public shall not be permitted.

(6) An annual inspection by the County Fire Department shall be made in order to ensure compliance with any conditions of approval.

(7) A minimum of two (2) paved and two (2) other alternate parking spaces shall be provided. The County Fire Chief shall approve alternate parking spaces subject to surfacing requirements and possible alternate locations (e.g., on-street parking) where it is deemed necessary and appropriate.

(8) The model home shall be fully landscaped with drought tolerant xeriscape materials.

(9) A Bond shall be required to ensure removal of any signs or flags and to reconvert, where necessary, any garage conversion.

(10) A Temporary Use Permit for other On-Your-Lot Builder Model Home/Sales Office may be transferred to another party. Such a transfer shall not entitle the new owner to use such a permit for a longer time period than five (5) years from the issuance of the original permit. County Fire Department shall be notified of any transfer of ownership.

(11) Agreement to Terminate a Temporary Use. Prior to the issuance of the permit for the first year and as a condition of that permit approval, the permittee shall enter into an agreement with the County, which shall be recorded in the official records of the County by the County Recorder. The agreement will establish the responsibility of the permittee to comply with the provisions of this Chapter. This will include acknowledgement that the permittee shall terminate the model home/sales office no later than five (5) years from the date of the initial permit and restore the structure to a use allowed by the current land use district on the subject property.

(d) Existing Uses. All existing On-Your-Lot Builder Model Home/Sales Offices shall be required to obtain a Temporary Use Permit for their use. Such permits together with approved annual extensions will allow these uses to continue for an additional five (5) years from the effective date of this section, without penalty, provided such uses comply with the provisions and conditions established by or under the authority granted by this section.

Readopted Ordinance 3341 (1989); Amended Ordinance 3611 (1995)

84.0735 Temporary Signs.

Temporary signs shall be allowed subject to a Temporary Use Permit (T.U.P.) issued in accordance with the provisions of Division 7, Chapter 7, regarding Temporary Signs.

Readopted Ordinance 3341 (1989)

84.0740 Temporary Transportable Treatment Unit.

Temporary Transportable Treatment Unit (TTTU) may be used for treating hazardous waste or groundwater contamination subject to a Temporary Use Permit (T.U.P.) issued in accordance with the provisions of Division 3. Such temporary transportable treatment units shall be allowed only in the following instances:

(a) The site where a TTTU will be located and operated complies with the siting criteria and procedures identified in the San Bernardino County Hazardous Waste Management Plan, or

(b) The Director of Environmental Health Services shall determine through the Land Use Compliance Review that the proposed TTTU use will not create additional health risks as demonstrated by a site specific health risk assessment.

(c) Any permit issued pursuant to this section in conjunction with a TTTU shall become invalid upon violation of a permitting requirement or completion of the project or the expiration of the time for which the approval has been granted.

(d) An annual inspection by the Department of Environmental Health Services shall be made in order to ensure compliance with any conditions of approval.

(e) A T.U.P. for a temporary transportable treatment unit and extension(s) thereof, shall not be granted for any period of time to exceed five (5) years from the date the original T.U.P. was issued.

Readopted Ordinance 3341 (1989)

84.0745 Temporary Special Event.

(a) General Provisions.

(1) The intent of this section is to provide regulation for the establishment, operation and cleanup of temporary special events that do not constitute a "land use" of sufficient magnitude or longevity to require permanent land use approval. The purpose of these provisions is to establish regulations that will protect the general public health, safety and welfare under the authority granted to governments by the Constitution of the State of California.

(2) Except as otherwise provided by the San Bernardino County Code or state law, no person or entity shall operate, maintain, conduct, advertise or provide admission for any temporary special event within unincorporated areas of San Bernardino County without possessing an unexpired, unsuspended and unrevoked Temporary Use Permit from the Land Use Services Department of the County of San Bernardino for each such temporary special event. Any sites which have received land use approval, such as a Conditional Use Permit, to allow temporary special events and temporary special events held on San Bernardino County Regional Parks are exempt from the requirements of this section. No Class I minor event (as defined in Section 812.19122) with an anticipated attendance under five hundred (500) persons per day shall be subject to this section. No Class II minor event with an anticipated attendance under two hundred (200) persons per day shall be subject to this section.

(3) The Current Planning Division shall notify and consult with all relevant county, state and federal agencies including the following:

(A) The County Departments of Public Health, Sheriff, Public Works, Airports, Fire, and the County Code Enforcement Division;

(B) The State of California Departments of Transportation, Fish and Game, Alcoholic Beverage Control, and Highway Patrol; and

(C) The U.S. Forest Service, Bureau of Land Management, Bureau of Reclamation and U.S. Park Service.

(b) Prior to organizing any temporary special event, the applicant shall supply such information as the Land Use Services Department may reasonably require based upon the location, intensity and level of services required for each proposed temporary special event. Application for events shall be submitted in a complete form in advance of the anticipated commencement of the activity as follows:

(1) Minor Events (as defined in Section 812.19122):

(A) Events proposed to operate for the first time: At least thirty (30) days in advance for a community celebration, and at least ninety (90) days in advance for any other event.

(B) Recurring events: At least thirty (30) days in advance if the event had been previously reviewed and approved.

(2) Major Events (as defined in Section 812.19122): At least one hundred and eighty (180) days in advance.

(c) Fees. For major events only, within sixty (60) days of notification by the Current Planning Division, any County department substantially affected by an event, other than the Sheriff's Department which is covered under subsection (j) below, shall submit a billing to the event applicant (with a copy to the Current Planning Division) of the estimated total fees and charges of that department pertaining to the event. All such estimated total fees and charges shall be deposited by the event applicant with the affected department(s) at least sixty (60) days prior to the scheduled opening of the event. Within thirty (30) days of the end of the event, such affected County department shall give a final accounting/billing to the event operator (with a copy thereof to the Current Planning Division). Within sixty

(60) days of the end of the event, the operator thereof shall deposit all unpaid County departments' fees and charges and the affected department(s) shall refund any surpluses, as applicable.

(d) Bonding and Insurance: Each applicant may be required to provide sufficient liability insurance naming the County of San Bernardino as an additional named insured. Such insurance shall be sufficient to protect, defend and indemnify the County of San Bernardino, its officers, employees, agents, servants and volunteers from and against any loss, claim, liability, injury and damage of any nature arising out of, or in any way connected to, such temporary special event. The amount, type and quality of such insurance shall be determined according to policy set by the Risk Management Division. The County may require a bond be posted prior to the event to ensure all conditions are met, including cleanup and restoration of landscape.

(e) Review Procedures: Upon receipt of a completed application and all related fees, the Land Use Services Department shall consult with applicable agencies and departments. The event must comply with the California Environmental Quality Act (CEQA) pursuant to Sections 15301 and 15304 of the CEQA Guidelines. If the event has the potential to cause adverse environmental impacts, an environmental review of the proposed event shall be conducted pursuant to the San Bernardino County Code and CEQA. An additional environmental review fee will be required. After an environmental determination has been made, or if one is not required, the Land Use Services Director:

(1) may refer any Temporary Special Event application directly to the Board of Supervisors for consideration;

(2) may require a Conditional Use Permit or other appropriate land use review and approval where the magnitude or longevity of the use requires such;

(3) shall notify the applicant of the Sheriff's determination, if the Sheriff has determined pursuant to subsection (j) below that no permit should be issued.

(f) Appeals: Within ten (10) days of its effective date, any temporary special event permit decision made in accordance with the provisions of this section by a reviewing authority, other than the County Board of Supervisors, may be appealed to the County Board of Supervisors.

(g) Permits Nontransferable: Any permit issued pursuant to this section is not transferable to any other person, organization, place, date or time.

(h) Posting: Every permit required by these regulations shall be conspicuously posted upon the premises of the temporary special event in a manner prescribed by the Current Planning Division.

(i) Permit Conditions: The Land Use Services Director, the Sheriff and the County Board of Supervisors shall take into consideration all relevant information when determining the approval or denial and any necessary conditions for a requested temporary special event permit, including, but not limited to, the following:

(1) The site(s) upon which the event is to occur, and the provisions for adequate ingress/egress and adequate parking including provisions for special traffic guards or signals;

(2) consideration of the impositions upon adjacent properties and the local communities;

(3) noise impact(s) (an applicant's request to play or broadcast music, especially between the hours of 11 p.m. and 7 a.m., shall be evaluated and determined based on all relevant information including, but not limited to, the following: the proximity to the nearest residence, business or other occupied land use; the topography of the site and relevant surrounding area; and the time limits such music is proposed to be played);

(4) topographical and ecological considerations and consideration of alternative sites;

(5) electrical illumination requirements;

(6) inclement weather contingencies;

(7) water facilities;

(8) food concessions;

(9) sanitation facilities;

(10) medical/first aid facilities;

(11) overnight camping problems;

(12) bonding and insurance requirements;

(13) fire protection, including location of fire hydrants and supplemental water sources;

(14) communication, including temporary or additional telephones and an adequate public address system;

(15) news releases required;

(16) adequate office space(s) and communication equipment for all regulatory personnel on site by the permit holder;

(17) cleanup trash disposal;

(18) restoration of landscape; and

(19) final accounting procedures, billings and/or reimbursements.

(j) Police Protection - Sheriff's Determination:

(1) Upon receipt of the event application from the Land Use Services Department, the Sheriff Department shall take into consideration all relevant information when determining their recommendation for the approval or denial and any necessary conditions for a requested temporary special event permit, including, but not limited to, those items set forth in subsection (i) above, and the following:

- (A) The applicants' previous relevant experience and background;
- (B) provisions for special accessway(s) for emergency vehicles;
- (C) police protection;
- (D) crowd control measures;
- (E) control of alcoholic beverages and dangerous substances;
- (F) emergency evacuation procedures; and
- (G) news releases.

(2) If the Sheriff determines, for any of the following reasons, that said event will endanger the public peace, welfare, health or safety, no permit shall be issued. The grounds for denial by the Sheriff are:

(A) Information contained in the application, or supplemental information requested from the applicant, is found to be false in any material detail; or

(B) Another special event permit application has been received prior in time, or has already been approved, to hold another event at the same time and place requested by the applicant, or so close in time and place as to cause undue traffic congestion, or the Sheriff is unable to meet the needs for law enforcement services for both events; or

(C) The time, route or size of the event will substantially interrupt the safe and orderly movement of traffic contiguous to the event site or route, or disrupt the use of a street at a time when it is usually subject to great traffic congestion; or

(D) The concentration of persons, animals and vehicles at the site of the event, or the assembly and disbanding areas around an event, will prevent proper law enforcement, fire, paramedic or ambulance services to areas contiguous to the event; or

(E) The size of the event will require diversion of so great a number of Sheriff deputies to insure that participants stay within the boundaries or route of the event, or to protect participants in the event, as to prevent normal protection to the rest of the County of San Bernardino. Nothing herein authorizes denial of a permit because of the need to protect participants from the conduct of others if reasonable permit conditions can be imposed to allow for adequate protection of event participants with the number of law enforcement officers available to police the event; or

(F) The location of the event will substantially interfere with any construction or maintenance work scheduled to take place upon or along the County streets, or a previously-granted encroachment permit; or

(G) The event shall occur at a time when a school is in session at a route or location adjacent to the school or class thereof, and the noise created by the activities of the event would substantially disrupt the educational activities of the school or class thereof.

When the grounds for denial of an application for permit specified in subsections (B) through (G) above can be corrected by altering the date, time, duration, route or location of the event, the Sheriff shall, instead of denying the application, conditionally recommend approval of the application upon the applicant's acceptance of conditions for permit issuance. The conditions imposed shall provide for only such modification of the applicant's proposed event as are necessary to achieve compliance with subsections (B) through (G) above.

(3) If the Sheriff determines that said event will not endanger the public peace, welfare, health or safety, the Sheriff shall advise the Land Use Services Director of his or her determinations and recommendations.

(4) If the Sheriff determines that said event will endanger the public peace, welfare, health or safety unless the applicant obtains extra police protection, the Sheriff shall advise the Land Use Services Director of the Sheriff's requirements for extra police protection as a mandatory condition for the issuance of a permit.

(5) Where the Sheriff specifies the employment of off-duty peace officers, and/or reserve peace officers, to meet the requirements of this section, said peace officers shall be under the complete direction of the Sheriff of San Bernardino County. The Sheriff shall require that the requisite number of peace officers will be provided at all times of operation, plus any specified time prior to and following the event, before the Sheriff shall recommend approval of any permit.

(6) The employment of the specified number of law enforcement officers shall be at the expense of the applicant, said expense to be calculated in accordance with this Code's fee provisions pertaining to public gatherings and shall be paid in full, thirty (30) days in advance of the event.

(7) The Sheriff, or his or her designee, shall determine whether regular or reserve officers are to be utilized based on availability, the nature of the assignment and the number of officers needed to ensure the safety and welfare of the public during the event.

(k) Requests for Law Enforcement Services at Temporary Special Events: Any person or entity not required to obtain a permit in accordance with the provisions of this section may request law enforcement services to preserve the peace at temporary special events. Such application shall be to the Sheriff and shall be in writing, stating the name and address of the applicant, the place where the temporary special event is to be held, the estimated number of persons to be present and the purpose of the temporary special event. Upon receipt of said application, the Sheriff shall determine whether law enforcement services are necessary to preserve the peace, and if the Sheriff so determines, and if the services will not reduce the normal and regular on-going service that the County would otherwise provide, the Sheriff shall contract with the applicant to provide the services at an amount to include

all costs to the County. Said costs shall be calculated in accordance with the fee provisions of this Code relating to public gatherings.

(l) Permit Expiration: A temporary special event permit shall expire by the terms of the permit.

(m) Complaints: Any interested person may file a complaint with the Land Use Services Department, the Sheriff or the Board of Supervisors or petition for a suspension or revocation of any permit issued pursuant to this section.

(n) Grounds for Suspension or Revocation: The Land Use Services Director or the Sheriff may suspend, and the Land Use Services Director may revoke, any permit issued pursuant to this section based upon reasonable causes, which may include the following:

(1) Nonpayment of required fees to the County of San Bernardino or its agents;

(2) Violation of any permit condition;

(3) Violation of any law involving the operation of the temporary special event;

(4) Any disorderly conduct or use of dangerous substances occasioned by the operation of the temporary special event;.

(5) Information contained in the application, or supplemental information requested from the applicant, is found to be false in any material detail.

(o) Suspension: The Land Use Services Director or the Sheriff may summarily suspend any Temporary Special Event Permit if he or she finds or reasonably suspects operation of the event may constitute an immediate public health or safety hazard. At the time of suspension, the Land Use Services Director or Sheriff shall issue a written notice to the permit holder stating the grounds for the suspension and notifying the permit holder of the right to a hearing on the suspension. If a written request for hearing is filed with the Land Use Services Director within fifteen (15) calendar days after the receipt of the notice, the Land Use Services Director shall provide a hearing within five (5) days of receipt of the written request for a hearing. If the suspension notice is given on or within twenty-five (25) days of the start date of the event, the Land Use Services Director shall take reasonable steps to expedite the hearing process. The hearing may be continued from time to time. At the conclusion of the hearing, the Land Use Services Director shall render a decision. The Land Use Services Director may continue the suspension in effect until he or she determines the grounds for suspension no longer exist. If an urgent situation exists relative to the public health, safety or welfare for a specific event, an Emergency Suspension may be executed by the Land Use Services Director to be effective immediately.

(p) Revocation: The Land Use Services Director may commence revocation proceedings by mailing a notice not less than ten (10) days prior to the date set for hearing, informing the permit holder of the causes for revocation and the time and place at which the revocation matter will be heard. If the revocation notice is given on or within twenty-five (25) days of the start date of the event, the Land Use Services Director shall take reasonable steps to expedite the hearing process. The hearing may be continued from time to time. A revocation hearing may be held concurrently with a suspension hearing. At the conclusion of the hearing, the Land Use Services Director shall render a decision. If an urgent situation exists relative to the public health, safety or welfare for a specific event, an Emergency Revocation may be executed by the Land Use Services Director to be effective immediately.

(q) Violations/Remedies: It shall be unlawful for any person to do any of the following:

(1) Conduct, operate or advertise a temporary special event without first possessing an unexpired, unsuspended, unrevoked permit for each such temporary special event.

(2) Sell, give or distribute admission passes or tickets to any temporary special event without first possessing an unexpired, unsuspended, unrevoked permit for each such temporary special event.

(3) Operate any temporary special event in such a manner as to create a public or private nuisance.

(4) Exhibit, show or conduct within said place of the temporary special event any activity which violates California State law or any County ordinance.

(5) Knowingly allow any person on the site of the temporary special event to cause or create a disturbance in, around or near any place of the temporary special event by offensive or disorderly conduct.

(6) Knowingly allow any person to consume, sell, distribute or possess any alcoholic beverage on the site of the temporary special event, except as expressly allowed as a condition of the permit and pursuant to the laws and regulations enforced by the State Department of Alcoholic Beverage Control.

(7) Knowingly allow any person to consume, sell, distribute or possess any controlled drug or dangerous substance in, around or near the place of a temporary special event.

(8) Knowingly play or broadcast any live, recorded or synthesized music after 11 p.m. or before 7:00 a.m. at the site of a temporary special event, except as expressly authorized as a condition of a Temporary Use Permit.

(r) Any temporary special event conducted without the required permit(s) is subject to closure at anytime during the event. The promoter, business owner and/or landowner may be subject to cost recovery by the agencies participating in the closure.

(s) Temporary Special Events on Federal or State Land: When temporary special events have received a complete land use approval by a federal or state agency, including, but not limited to, the Bureau of Land Management and the U.S. Forest Service and such is properly certified to the Land Use Services Department, the

Director of Land Use Services may, upon consultation with and approval of the Sheriff, limit or waive any or all the provisions of this section as they are determined to be adequately controlled by such federal or state agency. The Director of Land Use Services shall use the following parameters to review off-road vehicle races:

(1) Any portion of the race course traversing private land must be on an improved public easement or traveled way which has been primarily maintained by the use of hand or power machinery or tools in order to allow relatively regular and continuous use; or maintained by the passage of vehicles so as to constitute a well-defined and adequate route of travel for the types of vehicles intended for use in the event. Any applicable permit will be obtained for the use of County-maintained roads, flood control easements or other such routes.

(2) No spectators will be allowed, or activities conducted other than the passage of vehicles on any portion of the private property, road or route.

(3) No passing will be allowed on the road or route unless it has adequate width to permit safe passage of two race vehicles abreast without necessitating travel off the designated course.

(4) The race route on private lands will pose no undue or extraordinary hazards to the participants or the general public.

(5) The race will not adversely affect any sensitive environmental resources on private lands per determination made pursuant to the environmental review.

(6) The owner(s) of the private property to be crossed by the temporary special event has/have issued written permission to the individual(s) conducting the race to use such private property.

Adopted Ordinance 3654 (1996); Amended Ordinance 3823 (2001)